

TOWNSHIP OF CLINTON
HUNTERDON COUNTY, NEW JERSEY

ORDINANCE NO. 1159-2021

AN ORDINANCE OF THE TOWNSHIP OF CLINTON AMENDING CHAPTER 165, "LAND USE REGULATIONS" OF THE "CODE OF THE TOWNSHIP OF CLINTON" TO CHANGE THE ZONE CLASSIFICATION OF THE "LECOMPTÉ" SITE ON ROUTE 31 (BLOCK 29, LOT 4) FROM THE AH-7 AFFORDABLE HOUSING DISTRICT TO THE ROM-1 RESEARCH, OFFICE, AND MANUFACTURING DISTRICT; REPEAL IN THEIR ENTIRETY THE DEVELOPMENT REGULATIONS APPLICABLE TO THE AH-7 AFFORDABLE HOUSING DISTRICT; CREATE A NEW ZONING DISTRICT TO BE KNOWN AS THE "AH-10 AFFORDABLE HOUSING DISTRICT" AND ESTABLISH DEVELOPMENT REGULATIONS APPLICABLE THERETO; AND CHANGE THE ZONE CLASSIFICATION OF A ±2.4-ACRE TRACT ON GRAYROCK ROAD (BLOCK 77.01, LOTS 2, 3 AND 4) FROM THE OB-2 OFFICE BUILDING DISTRICT TO THE AH-10 AFFORDABLE HOUSING DISTRICT, IN ACCORDANCE WITH THE TOWNSHIP'S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

PURPOSE

The purpose of this ordinance is to make the following modifications to the Township's land use regulations set forth in Chapter 165 of the "Code of the Township of Clinton": (1) Repeal Article XXIID, AH-7 Affordable Housing District, of Part 7, Zoning Regulations, of Chapter 165, Land Use Regulations; (2) remove the "LeCompte" site on Route 31 (Block 29, Lot 4) from the AH-7 District and return it to its prior ROM-1 Research, Office Manufacturing zone designation; (3) create a new affordable housing zoning district to be known as the "AH-10 Affordable Housing District"; and remove a three-parcel, ±2.4-acre tract on Grayrock Road (Block 77.01, Lots 2, 3 and 4) from the OB-2 Office Building District and place them in the newly created AH-10 District. All of these changes are supported by Clinton Township's 2021 Housing Plan Element and Fair Share Plan Amendment, Land Use Plan Amendment and Reexamination Report of the Master Plan and Development Ordinances.

WHEREAS, in accordance with the New Jersey Supreme Court's "Mount Laurel I" decision (*South Burlington County NAACP v. Mount Laurel*, 67 N.J. 151 (1975)), the Township of Clinton ("Township") has a constitutional obligation to provide for its fair share of its region's need for low- and moderate-income housing; and

WHEREAS, in accordance with the New Jersey Supreme Court’s “Mount Laurel IV” decision (*In re Adoption of N.J.A.C. 5:96 and 5:97*, 221 N.J. 1 (2015)), the Township filed a declaratory judgment action titled *In re Clinton Township Compliance with Third Round Mount Laurel Obligations*, Docket No. HNT-L-315-15 (the “litigation”); and

WHEREAS, the Township settled the litigation by entering into a settlement agreement with Fair Share Housing Center, Inc. (“FSHC”) on December 13, 2017 and an amended settlement agreement with FSHC on February 5, 2018 (collectively, the “settlement agreement”); an amendment to the settlement agreement on June 15, 2020 (the “Second Amendment”); and a further amendment to the settlement agreement on May 6, 2021 (the “Third Amendment”), all of which collectively set forth the Township’s rehabilitation obligation, prior round obligation, and third round affordable housing obligation covering the period 1999 to 2025, including the various plan mechanisms to satisfy said obligations in full; and

WHEREAS, on June 7, 2021, the Clinton Township Planning Board (“Board”) adopted by resolution a master plan reexamination report prepared for the Board by its planning consultants Burgis Associates, entitled “2021 Periodic Reexamination Report of the Master Plan & Development Regulations” and dated May 27, 2021 (the “reexamination report”); and

WHEREAS, section IV of the reexamination report contains the following recommendations of relevance here:

The MLUL requires the identification of specific changes recommended for the master plan or development regulations, if any, including changes to the underlying objectives, policies and standards, or whether an entirely new master plan or development regulations should be prepared. This 2021 Reexamination Report identifies a number of recommended changes, as set forth below.

Amend the Township’s 2018 Housing Element and Fair Share Plan, 2006 Land Use Plan Element and development regulations as follows:

...

2. Inclusionary Development of Block 70.1 Lots 2, 3 and 4

Clinton Township anticipates either rezoning and/or requesting that the Planning Board undertake an “area in need of redevelopment” study for the site encompassing Block 70.01 Lots 2, 3 and 4 on Grayrock Road. In accordance with the Township’s Third Amendment to its Settlement Agreement with Fair Share Housing Center, this 2.44-acre site is intended to accommodate a 30-unit inclusionary development with a 20% affordable housing set-aside that will yield 6 affordable housing units. . . .

3. Removal of the LeCompte Site, Block 29 Lot 4, From the Township’s Third Round Fair Share Plan

The two inclusionary developments noted above along with a three-bedroom municipally sponsored special needs project will replace the 89-unit 100% affordable project at Block 29 Lot 4 currently included as a plan mechanism in the Township’s 2018 Housing Element and Fair Share Plan. This site will revert back to its previous ROM-1 Research, Office and Manufacturing 1 zone designation prior to its rezoning as the AH-7 Affordable Housing District. . . .

[Reexamination report pp. 9, 11 and 13]

and

WHEREAS, consistent with the recommendations set forth in the reexamination report, the Board on June 7, 2021 adopted amendments to the Land Use Plan element of the Township’s master plan (see “Amendment to the Land Use Plan Element” prepared for the Board by Burgis Associates on May 26, 2021) as well as amendments to the Township’s housing element and fair share plan (see “Amendment to the Housing Element and Fair Share Plan” prepared for the Board by Burgis Associates on May 26, 2021)(the “2021 HE&FSP Amendment”); and

WHEREAS, the Township Mayor and Council endorsed the 2021 HE&FSP Amendment by resolution adopted on June 23, 2021; and

WHEREAS, the 2021 HE&FSP Amendment states in relevant part as follows:

2. Removal of the LeCompte Site (Block 29, Lot 4) From the Township's Fair Share Plan

The 89-unit 100% affordable housing development previously contemplated for the LeCompte site on Route 31, a durational adjustment project, is hereby removed from the Township's Third Round Fair Share Plan. These 89 affordable housing units/credits will be replaced in full with the Ingerman project producing 80 affordable housing units, the Grayrock Road development producing 6 affordable housing units and the municipally sponsored 3 bed special needs home at a site to be determined. Block 29, Lot 4 will revert back to its previous ROM-1 Research, Office and Manufacturing 1 zone designation that existed prior to its rezoning as the AH-7 Affordable Housing District.

....

4. Grayrock Road Inclusionary Development (Block 77.01, Lots 2, 3 and 4)

The Township's third amendment to its Settlement Agreement with Fair Share Housing Center includes Block 77.01 Lot 2, 3 and 4 as a Third Round fair share plan component intended to replace a portion of the LeCompte site credits that have been removed from the plan. The Township will rezone this 2.44-acre property to accommodate the development of a 30-unit inclusionary development with a 20% affordable housing set aside yielding 6 low and moderate-income units.

[2021 HE&FSP Amendment pp. 3 and 8]

and

WHEREAS, the Mayor and Council wish to implement the above-quoted recommendations from the reexamination report and the above-quoted provisions of the 2021

HE&FSP Amendment, and consistent with its obligations as set forth in the Third Amendment to the settlement agreement with FSHC;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, in Hunterdon County, New Jersey as follows:

Section 1. Preamble. The preamble to this ordinance is hereby incorporated as if restated in full.

Section 2. AH-10 Affordable Housing District Established. Section 165-85, “Establishment of districts” of the “Code of the Township of Clinton” (“Township Code”) is hereby amended and supplemented to add thereto a new zoning district entitled the “AH-10 Affordable Housing District,” and shall read as follows (additions are underlined thus; deletions are in brackets [thus]):

§ 165-85. Establishment of Districts.

For the purpose of this Chapter, the Township of Clinton is hereby subdivided into [23] 24 zone districts known as:

RC	Rural Conservation District
RR-4	Rural Residential 4 District
RR-4S	Rural Residential District 4S
SR	Suburban Residential District
VR	Village Residential District
AH-1	Affordable Housing District
AH-2	Affordable Housing District
AH-3	Affordable Housing District
AH-4	Affordable Housing District
AH-5	Affordable Housing District
AH-6	Affordable Housing District
AH-7	Affordable Housing District [<u>reserved</u>]
AH-8	Affordable Housing District
AH-9	Affordable Housing District
<u>AH-10</u>	<u>Affordable Housing District</u>
C-1	Commercial District
C-ROM	Commercial – Research, Office and Manufacturing District
OB-1	Office Building District

OB-2	Office Building District
ROM-1	Research, Office and Manufacturing District
ROM-2	Research, Office and Manufacturing District
ROM-3	Research, Office and Manufacturing District
PUD	Planned Unit Development Overlay
PDO	Planned Development Overlay

Section 3. AH-10 zoning regulations established and new article created. Part 7, “Zoning Regulations” in Chapter 165, “Land Use Regulations” of the Township Code is hereby amended by adding thereto new Article XXIIG, entitled “AH-10 Affordable Housing District,” which shall read as set forth in **Exhibit A** attached hereto and made a part hereof.

Section 4. Chapter 165, Part 7, Article XXIID repealed. The regulations set forth in Chapter 165, Part 7, Article XXIID, “AH-7 Affordable Housing District” of the Township Code are hereby repealed in their entirety and replaced with “[RESERVED].”

Section 5. Zoning map amended. The map entitled “Zoning Map, Clinton Township, Hunterdon County, NJ,” last dated May 12, 2021, as most recently amended pursuant to Ordinance No. 1154-2021 adopted on June 9, 2021, is hereby further amended by (1) removing Block 29, Lot 4 from the AH-7 Affordable Housing District and placing it in the ROM-1 Research, Office and Manufacturing District; and (2) removing Block 77.01 Lots 2, 3 and 4 from the OB-2 Office Building District and placing these parcels in the AH-10 Affordable Housing District created by this ordinance, as shown on **Exhibits B and C** attached hereto.

Section 6. Reference to zoning map and schedule of zoning requirements in Code section 165-86 amended; schedule of zoning requirements updated. The Schedule of Zoning Requirements referred to in section 165-86 of the Township Code is hereby updated consistent with the provisions of this ordinance, as shown in Exhibit D attached hereto, and Section 165-86 of the Township Code, entitled “Zoning Map and Schedule of Zoning Requirements,” is hereby amended and supplemented to read as below (additions are underlined thus; deletions are in

brackets [thus]), and the “Schedule of Zoning Requirements” referenced in said section is hereby updated consistent with the provisions of this ordinance, as shown on **Exhibit D** attached hereto:

§ 165-86. Zoning Map and Schedule of Zoning Requirements.

The map entitled, “Zoning Map, Clinton Township, Hunterdon County, N.J.,” dated [May 12, 2021] September 22, 2021, and the Schedule of Zoning Requirements, revised through [May 12, 2021] October, 2021 (Chapter 165, Attachment 3), which accompany and are referenced in this Part 7 are hereby declared to be part hereof.

Section 8. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed as to such inconsistencies only.

Section 9. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

Section 10. Referral to Planning Board. Following introduction and prior to adoption, the Clerk shall cause a copy of this ordinance to be referred to the Clinton Township Planning Board for review pursuant to N.J.S.A. 40:55D-26.

Section 11. Effective date. This ordinance shall take effect twenty days from its date of passage and upon filing with the Hunterdon County Planning Board, subject to the entry of a final judgement of compliance and repose by the Superior Court of New Jersey, Law Division.

Carla Conner, Township Clerk

Brian Mullay, Mayor

Introduced: September 22, 2021
Adopted:

EXHIBIT A

ARTICLE XXIIG AH-10 Affordable Housing District

§ 165-155.71. Purpose.

The purpose of this article is to establish regulations and standards controlling development in the AH-10 Affordable Housing District (the "AH-10 Zone"), which comprises a ±2.4-acre tract of land situated along Grayrock Road and designated on the Clinton Township tax maps as Block 77.01, Lots 2, 3 and 4, including standards for the development of low and moderate-income housing units in accordance with the provisions set forth below and in accordance with the New Jersey Fair Housing Act, *N.J.S.A. 52:27D-301 et seq.* and the regulations of the Council on Affordable Housing ("COAH") for the second round, set forth at *N.J.A.C. 5:93*.

§ 165-155.72. Permitted Principal Uses.

- A. Townhouses.
- B. Multifamily dwellings.

§ 165-155.73. Permitted Accessory Uses.

- A. Private garages.
- B. Storage and maintenance sheds.
- C. Off-street parking as hereinafter regulated.
- D. Signs in accordance with the requirements of § 165-109.
- E. Private recreation buildings and facilities, including ancillary indoor and outdoor private recreational amenities, primarily intended for use by residents of the development.
- F. Community center/room serving the residents of the development.
- G. Gazebos, pergolas and similar outdoor landscape structures.
- H. Uses which are customarily incidental to the principal permitted uses in the zone including, but not limited to, leasing, management, maintenance, and operations offices.
- I. Employee / superintendent occupied dwelling unit.
- J. Dumpster enclosures.
- K. Green infrastructure and stormwater infrastructure.

§ 165-155.74. Area and Bulk Requirements.

- A. Maximum density:
 - Lots 2 and 4 combined: 18 units
 - Lot 3: 16 units

B. Minimum lot area: 1 acre

C. Minimum lot width: 175 feet.

D. Minimum front yard setback:

- Grayrock Road: 25 feet (measured to the front lot line)
- Center Street: 50 feet (measured to the street curb)

E. Minimum side yard setback: 20 feet

F. Minimum rear yard setback*: 50 feet

*The lots' or tract's Old Highway 22 frontage shall constitute the rear lot line for purposes of determining required rear yard setbacks.

G. Maximum building coverage: 25% of the gross tract area.

H. Maximum impervious coverage: 75% of the gross tract area.

I. Maximum building height: No building shall exceed a height of 3 habitable stories or 48 feet. The maximum building height shall be calculated from the front building elevation facing Grayrock Road measured from grade to the highest point of the roof. Stories shall not include basements or cellars.

J. Accessory buildings and Structures: All accessory buildings shall comply with section 165-97 "Accessory Buildings and Structures". Except as otherwise regulated in this Section, accessory buildings and structures shall only be permitted in side yards and in the area between principal buildings and the Old Highway 22 right-of-way which shall constitute the rear yard of the lot or tract. Unenclosed decks, patios, porches, balconies and similar design elements may protrude a maximum of 5 feet from a principal building wall into a required side or rear yard setback. Retaining walls, utilities and utility structures shall be permitted in all required setbacks.

K. Surface parking area requirements:

- 1. Prohibited in front yards.
- 2. From principal building walls: 10 feet
- 3. Min. side yard setback: 10 feet
- 4. Min. rear yard setback: 20 feet
- 5. Surface parking areas visible from a public right-of-way shall be screened with landscape plants installed at a minimum 3 feet in height providing year-round screening.

L. Driveway requirements.

1. Permitted in the front yard to the extent they provide access from a public road to a permitted parking area in the side or rear yard.
2. Minimum setback from principal building walls: 10 feet
3. Minimum side yard setback: 5 feet
4. Minimum rear yard setback: 20 feet

N. Garages. Garages and interior parking facilities or structures shall only have side or rear access. Front facing garage entrances are prohibited. Garage entrances facing Old Highway 22 shall be permitted.

§ 165-155.75. Affordable Housing Requirement.

A. All residential development in the AH-10 Zone shall require a 20% affordable housing set-aside for a zone-wide yield of seven units, three of which shall be built on Lots 2 and 4, and four of which shall be built on Lot 3. The distribution of units shall include a minimum of 13% very-low income units included in a minimum of 50% low-income units, and maximum of 50% moderate-income units. Affordable housing requirements shall be implemented in accordance with the rules and regulations of Section 42 of the Internal Revenue Code, 26 CFR §1.42-1 et seq. and the New Jersey Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26.1 et seq.*

§ 165-155.76. Parking, Loading and Circulation.

- A. Off-street parking and loading: Parking and loading requirements of the AH-10 Zone shall comply with New Jersey Residential Site Improvement Standards (“RSIS”), *N.J.A.C. 5:21*, for townhouse and/or multifamily low- and moderate-income housing, as determined to be applicable. All parking areas shall be adequately landscaped, screened and lighted.
- B. Site access: Vehicular access shall be provided exclusively from Grayrock Road limited to a single two-way driveway for an individual development.
- C. Sidewalks shall be installed by the developer in the public right-of-way along the lot’s Grayrock Road and Center Street frontages, as applicable.

§ 165-155.77. Building Design Requirements.

- A. Buildings in the AH-10 Zone shall be developed with consideration to form, mass, architectural features and design elements consistent with the Township’s agricultural history, to be incorporated as follows:
- (1) All buildings should relate harmoniously with other onsite and surrounding features and buildings.
 - (2) Building materials and colors shall be consistent with the Township’s agricultural heritage.

- (3) Architectural features shall be used to create interest and variety and shall include staggered unit setbacks, changing rooflines and roof designs, and alterations in building height. Flat roof buildings and structures are prohibited.
- (4) Large horizontal buildings shall be broken into segments having vertical orientation with alternating front and rear façade setbacks to generate the appearance of smaller individual buildings/units. No more than 30 feet of front or rear building wall is permitted without providing a break in the façade of an acceptable method of articulation.
- (5) Buildings with expansive blank wall are prohibited.
- (6) Buildings should be encouraged to incorporate elements that provide a visually attractive environment through the use of varied decorative and architectural features at entrances, cornices, windows and rooflines.
- (7) Development with consideration of “human scale” should be encouraged through the use of strategically placed windows, doors, porches and columns.
- (8) To the extent practicable, buildings shall be oriented to maximize daylighting and provide opportunities to maximize the potential of photovoltaic (solar array) equipment.
- (9) Building construction shall utilize green building or sustainable building methods to the extent practicable and as the development budget allows. While this is consistent with the Townships’ longstanding tradition of environmental stewardship, it is recognized such strategies may also be utilized to reduce the operating and maintenance costs of low- and moderate-income households.

B. The standards and requirements set forth in this section are site plan requirements, and deviations from these standards and requirements shall require an exception pursuant to *N.J.S.A. 40:55D-51*.

§ 165-155.78. Landscaping, Buffers and Screening.

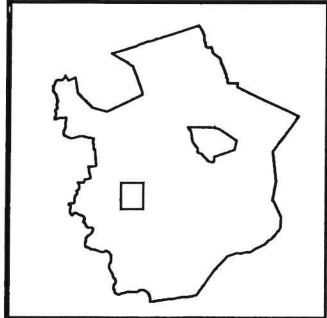
A. Any development plan for the tract shall include a formal landscape plan signed and sealed by a landscape architect licensed in the State of New Jersey. Landscape requirements for the AH-10 Zone are as follows:

- (1) Landscaping shall be provided to promote a desirable visual environment, accentuate building design, define entranceways, screen parking, building wall and equipment, mitigate adverse visual impacts, provide windbreaks for winter winds and shade for summer cooling.
- (2) Plants and other landscape materials shall be selected in terms of both aesthetic and functional considerations consistent with the rural character of the district and its surroundings.
- (3) The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color.

- (4) The selection of plants should be selected based on resistance to disease, insect, deer and other pest damage, wind and ice damage, habitat, soil conditions, growth rate, longevity, root pattern, maintenance requirements, and other pertinent factors.
- (5) Site entrances and unique site areas should be accentuated with special landscaping treatments.
- (6) The landscape plan shall include a variety of trees, shrubs, groundcover, grasses, annual and/or perennial beds and/or any other plant material, as determined to be appropriate in generating seasonal interest.
- (7) Existing mature trees shall be preserved to the extent possible, particularly within the existing vegetated buffers.
- (8) Screening shall provide a year-round visual buffer in order to minimize adverse impacts from the site on adjacent properties and public rights-of-way. Existing vegetation may provide sufficient screening where demonstrated by the developer, and/or supplemented where necessary.
- (9) The main entrance road to the tract should include street trees on each side of the roadway, and such trees shall be of a different variety from those planted in the parking area.
- (10) Rows of parking longer than 15 spaces shall have landscape islands at least 6 feet in width to break up the pavement.
- (11) Landscaping within site triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an 8-foot branching height above grade.
- (12) Street trees shall be installed along the site's Grayrock Road and Center Street frontages at a maximum spacing of 40 feet and a species to be approved by the Board Landscape Architect. Street trees shall be installed along the lot's Old Highway 22 frontage at the Board's discretion.
- (13) Tree spacing along roadways, driveways and parking areas should be a maximum of 40 feet, unless other vertical elements such as decorative lighting fixtures are installed between the trees, then a maximum spacing of 60 feet should be permitted.
- (14) Trees along the parking areas and main entrance driveway should be planted in a formal arrangement, while informal planting may be provided along the tract boundaries, open spaces and other landscaped areas.
- (15) Trees shall be installed with a minimum caliper of 2.0 to 2.5 inches.
- (16) Areas not improved with buildings, structures, and other man-made improvements should be landscaped with a combination of plant material, street furniture or other design amenities as determined to be appropriate.

- (17) Accessory structures and outdoor equipment including trash enclosures and air conditioning units shall be appropriately screened with permanent fencing and/or landscape plants.
- B. The standards and requirements set forth in this section are site plan requirements, and deviations from these standards and requirements shall require an exception pursuant to *N.J.S.A. 40:55D-51*.

EXHIBIT B



AH-5

31

ROM-1

Block 29
Lot 40

VALLEY CREST RD

RC

DOGWOOD DR

RR-4

OB-1

C-1

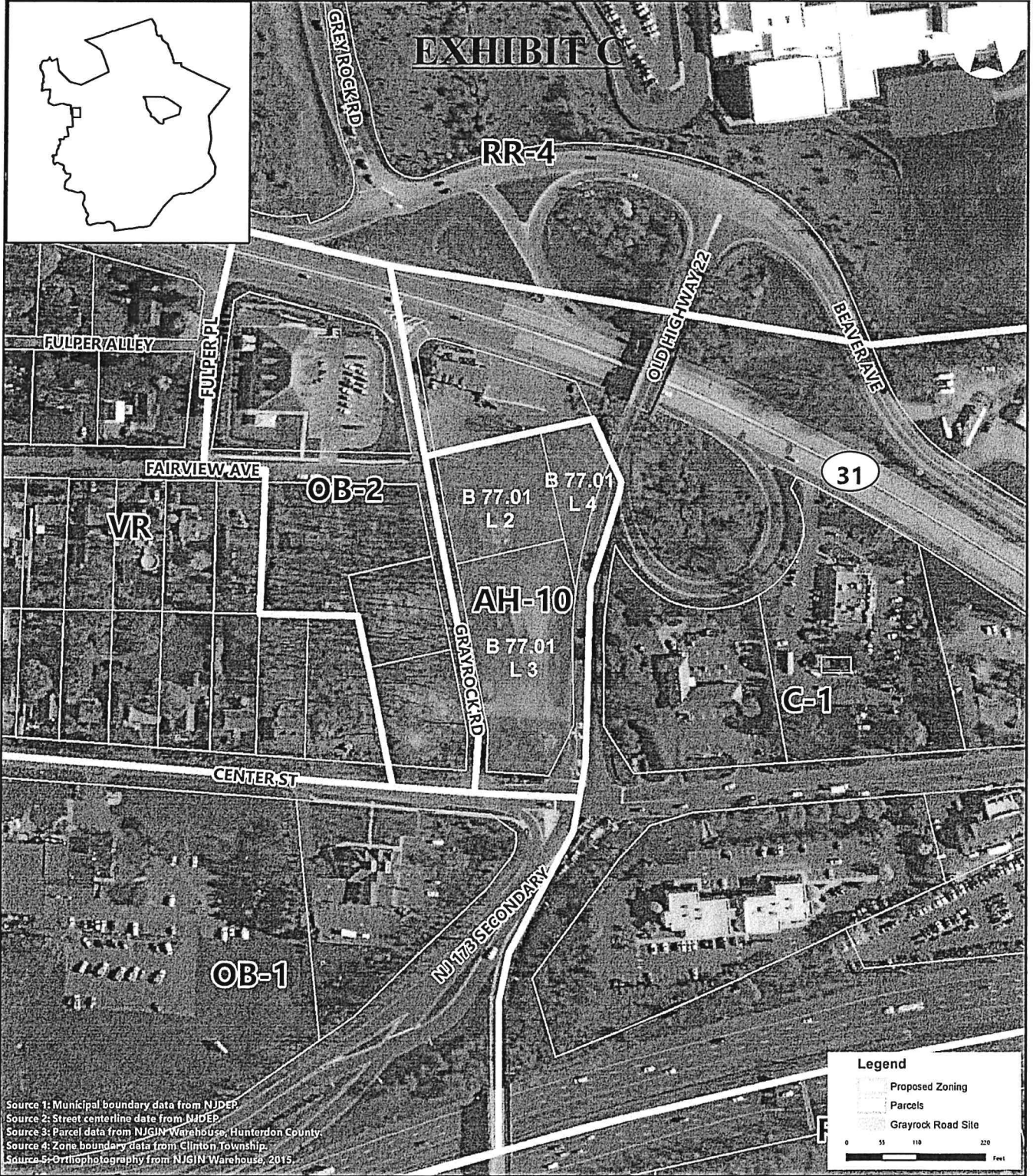
Legend

- Proposed Zoning
- Parcels
- Subject Lot

0 125 250 500 feet

Source 1: Municipal boundary data from NJDEP.
Source 2: Street centerline data from NJDEP.
Source 3: Parcel data from NJGIN Warehouse, Hunterdon County.
Source 4: Zone boundary data from Clinton Township.
Source 5: Orthophotography from NJGIN Warehouse, 2015.

EXHIBIT C



Source 1: Municipal boundary data from NJDEP
 Source 2: Street centerline data from NJDEP
 Source 3: Parcel data from NJGIN Warehouse, Hunterdon County
 Source 4: Zone boundary data from Clinton Township
 Source 5: Orthophotography from NJGIN Warehouse, 2015.

Legend

- Proposed Zoning
- Parcels
- Grayrock Road Site

0 55 110 220 Feet

EXHIBIT D

LAND USE REGULATIONS Chapter 165 Attachment 3

Township of Clinton

SCHEDULE OF ZONING REQUIREMENTS (Revised through October ____, 2021)

[Amended 5-11-1987 by Ord. No. 334-87; 11-23-1987 by Ord. No. 350-87; 8-27-1990 by Ord. No. 435-90; 9-10-1990 by Ord. No. 812-03; 4-4-2004 by Ord. No. 846-04; 6-14-2006 and 9-13-2006 by Ord. No. 908-06; 10-12-2016 by Ord. No. 1092-16; 1-25-2017 by Ord. No. 1095-17; 9-12-2018 by Ord. No. 1120-18; 9-12-2018 by Ord. No. 1122-18; 11-7-2018 by Ord. No. 1121-18; 10-28-2020 by Ord. No. 1142-20; 05-12-2021 by Ord. No. 1154-2021; 10-__-2021 by Ord. No. __-2021]

Zone	Primary Principal Use	Minimum Lot Area (square feet) ^(a)	Maximum Depth of Measurement (feet)	Minimum Lot Width				Minimum Yards			Maximum Stories	Height (feet)	Maximum Building Coverage (percent)	Maximum Density	Floor Area Ratio (percent) ^(b)	Maximum Impervious Coverage (percent)
				At Street (feet)	At Building (feet)	Front (feet)	Rear (feet)	Side (feet)								
RC	One-family dwellings Conventional lot Clustered lot or lot average lot	392,040	1200	250	400	180	250	100	2 1/2	35	5%	0.11 units/acre ^(b)				
		100,000	500	90	135	75	75	50	2 1/2	35	15%	0.11 units/acre ^(b)				
RR-4	One-family dwellings Conventional lot Clustered lot or lot average lot	174,240	800	150	250	125	250	50	2 1/2	35	10%	0.25 units/acre ^(b)				
		65,000	500	100	150	50	75	35	2 1/2	35	15%	0.25 units/acre ^(b)				
RR-4S	One-family dwellings Conventional lot Clustered lot with sewer Clustered lot or lot average lot with septic system	174,240	800	150	250	125	250	50	2 1/2	35	10%	0.25 units/acre ^(b)				
		30,000	240	75	110	50	50	25	2 1/2	35	15%	1.0 unit/acre ^(b)				
SR	One-family dwellings Conventional lot Clustered lot	65,000	500	100	150	50	75	35	2 1/2	35	15%	0.25 units/acre ^(b)				
		15,000	150	60	90	35	40	10	2 1/2	35	20%					
VR	One-family dwellings Two-family dwellings Townhouses Apartments	9,000	150	36	54	35	40	10	2 1/2	35	20%					
		11,250	150	45	68	35	40	10	2 1/2	35	20%					
AH-1	One-family dwellings Townhouses Apartments															
AH-2	One-family dwellings Multifamily dwellings															
AH-3	One-family dwellings Two-family dwellings Three- and four-family dwellings															
AH-4	Multifamily dwellings															
AH-5	Townhouses Multifamily dwellings															
AH-6	Townhouses Multifamily dwellings															
AH-7	[RESERVED]															
AH-8	One-family dwellings Two-family dwellings Townhouses Multifamily dwellings Courtyard singles															
AH-9	Townhouses Multifamily dwellings															
AH-10	Townhouses Multifamily dwellings															
C-1	Commercial	75,000	300	250	250	40	75	50	35	35				15%	40 ^(b)	
C-ROM	Commercial uses ROM and all other uses	217,800	600	350	350	40	100	75	35	35				15%	40 ^(b)	
		217,800	600	350	350	100	100	75	35	35				15%	40 ^(b)	

See Article XX

See Article XXI

See Article XXII

See Article XXIIA

See Article XXIIIB

See Article XXIIIC

See Article XXIIID [RESERVED]

See Article XXIIIE

See Article XXIIIF

See Article XXIIIG

OB-1	Office buildings	150,000	500	300	300	40	100	50	35	15%	40 ^(b)
OB-2	Offices, shops, etc.	20,000	200	100	100	35	60	20	35		60 ^(b)
	One-family dwellings	9,000	150	35	54	35	40	10	35		
	Two-family dwellings	11,250	150	45	68	35	40	10	35		20
ROM-1	Research, office, and manufacturing	1,742,400	2,000			200 ^(c)	200 ^(c)	100 ^{(c),(d)}	45 ^(c)	15%	33 ^(b)
ROM-2	Research, office, and manufacturing	871,200	1,500			150 ^(c)	150 ^(c)	75 ^{(c),(d)}	45 ^(c)	15%	33 ^(b)
ROM-3	Research, office, and manufacturing	217,800	600	350	350	100	100	75	35	15%	40 ^(b)
PUD	One-family dwellings, townhouses, apartments Commercial uses Public and private educational facilities Recreational facilities										
PDO	Research, office and manufacturing										

See Article XXXII

See Article XXXIII

NOTES:

- (a) For lots served by individual on-site septic systems, required minimum lot areas shall include at least one contiguous acre of noncritical lands. Noncritical lands are lands free of wetlands, floodplains, water bodies, stream corridors, easements and topographic slope of 15% or greater.
- (b) This standard shall apply to the area of the lot after first reducing the total area by portions of land subject to certain constraints as provided in the following schedule.

Constraint	Percentage of Area of Constraint by which Lot Area is to be Reduced*
Bodies of water	100
100-year floodplain (1)	100
Wetlands and wetland transition areas (2)	100
Slopes 15% to 24.99% (3)	50
Slopes 25% and greater (3)	100
Stream corridor (4)	100
Easements (5)	100

*If more than one constraint applies to a given area, the constraint with the greater reduction shall apply.

- (1) Federal Emergency Management Administration (FEMA), DEP or other equally reliable source.
- (2) Verification by the NJDEP.
- (3) Calculated within two-foot contour intervals from aerial topography or survey by a New Jersey licensed land surveyor.
- (4) In accordance with the definition in Section 165-4.
- (5) Including existing drainage and conservation easements.
- (c) Additional yard requirements: Notwithstanding minimum yard requirements, the yard depth shall be increased by one foot for every 200 square feet or part thereof of building wall surface area in excess of 20,000 square feet, provided that the yard depth need not exceed 400 feet.
 - (1) For buildings that are not parallel to a street or property line as described above, the additional setback shall be measured at the midpoint of the length of the building wall.
 - (2) For buildings having staggered walls facing on a street property line as described above, the additional setback shall apply individually to each building wall, the area of said wall being the area of a plan extending through the entire building at that point.
- (d) Minimum rear yard requirement applies to the side yard if the side yard adjoins a residence district.
- (e) If off-street parking is provided under a building, the maximum permitted height of that portion of the building under which parking is located may be increased to 60 feet.
- (f) Side yards shall be increased to 100 feet where lot line abuts a residential zone.
- (g) For hotels the height limit will be 55 feet.
- (h) If application is made pursuant to a master development plan pursuant to Section 40-88 of the Clinton Township Code, the maximum impervious surface coverage shall be calculated on the basis of the effective land area of the entire tract prior to the subdivision or dedication. Any resulting lot shall not have more than 80% impervious surface coverage.
- (i) Fifteen feet exclusive of open porches, 20 feet to any garage door.